

St. Louis City Ordinance 62477

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 130

INTRODUCED BY ALDERMAN MARTIE ABOUSSIE

An ordinance finding that blighted areas, conservation areas and economic development areas, all as defined in Section 99.805 of the Revised Statutes of Missouri (1988), as amended, exist in the City of St. Louis and that redevelopment of such areas is necessary; approving the creation of a commission to exercise the powers which may be exercised by such commissions pursuant to Sections 99.800 to 99.865 of the Revised Statutes of Missouri (1988), as amended, (the "Statute"); requesting the appointment of commissioners and establishing the terms thereof; containing a severability clause; and containing an emergency clause.

WHEREAS, there exist in the City of St. Louis (the "City") one or more blighted areas, conservation areas and economic development areas, all as defined in Section 99.805 of the Statute; and

WHEREAS, redevelopment of such area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, pursuant to the Statute, the City is authorized to take certain actions to redevelop blighted areas, conservation areas and economic development areas; and

WHEREAS, Section 99.820 of the Statute provides that the City may create a commission to exercise the powers as set forth therein, provided such action is approved by this St. Louis Board of Aldermen ("Board"); and

WHEREAS, this Board desires that such a commission be created to exercise such powers.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. It is hereby found that there exist in the City one or more blighted areas, conservation areas and economic development areas, all as defined in Section 99.805 of the Statute, and that redevelopment of said area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the City.

SECTION TWO. The creation of a nine person commission, as set forth in Section 99.820.2 of the Statute, which shall hereinafter be known as the Tax Increment Financing Commission of the City of St. Louis (the "Commission"), is hereby approved. This Commission shall consist of: two members appointed by the Board of Education of the City of St. Louis; one member appointed by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality; and six members appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality.

SECTION THREE. The Commission is hereby authorized to exercise all powers which may be exercised by such commissions pursuant to the Statute, as may be revised from time to time, and to adopt bylaws addressing the operations of the Commission which are consistent with the Statute and this Ordinance. The Commission shall hold public hearings and provide notice pursuant to Sections 99.825 to 99.830 of the Statute. The Commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in Section 99.825 of the Statute concerning the adoption of, or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The Commission shall also adopt bylaws governing its proceedings and operations which are consistent with the Statute and this Ordinance; provided, however that no bylaws affecting the Commission's proceedings and operations shall be voted on or approved by the Commission without prior written notice to and opportunity to participate and vote by the members of the Commission to be appointed by the Board of Education of the City of St. Louis; provided further however that such limitation shall not prevent the operation of the Commission or the adoption or amendment of bylaws in the event that the Board of Education of the City of St. Louis, after notice, fails to appoint its commissioners.

SECTION FOUR. The Mayor is hereby requested to appoint six (6) persons to serve as commissioners of the Commission; provided, however, that each such appointment shall be subject to the consent of a majority of this Board. The commissioners appointed by the Mayor may not then be serving by appointment on any other public board or commission of the City of St. Louis and shall include one commissioner with a degree or experience in finance, one

commissioner with a license or experience in real estate and one commissioner with a degree in law.

SECTION FIVE. Of the commissioners first appointed by the Mayor, two (2) shall be designated to serve on the Commission for terms of two (2) years from the date of their appointment, another two (2) shall be designated to serve on the Commission for terms of three (3) years from the date of their appointment and the remaining two (2) shall be designated to serve on the Commission for terms of four (4) years from the date of their appointment; thereafter, each vacancy resulting from the expiration of a term shall be filled in the same manner as set forth above, and each person so appointed shall be appointed to serve on the Commission for a term of four (4) years, except that the initial term of a person appointed to fill a vacancy resulting from the resignation, death or incapacity of a commissioner during an unexpired term shall consist of the unexpired portion of such term.

SECTION SIX. It is hereby recognized that the requirements of the Statute as pertain to the number, qualifications, terms and manner of appointment of persons to serve on the Commission may, from time to time, be revised. The Mayor and such other persons as may be directed to act with respect thereto under the Statute in the future are hereby authorized to act in accordance with the Statute, as from time to time revised, so that at all times hereinafter the Commission shall be and remain legally authorized to exercise the powers of a commission under the Statute, without further action of this Board, except to consent to appointments by the Mayor of persons to serve on the Commission.

SECTION SEVEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION EIGHT. This Ordinance, being necessary for the immediate preservation of public health, safety and general welfare, shall be and is hereby declared to be an emergency measure within the meaning of Article IV, Section 20, of the Charter of the City of St. Louis, and as such shall take effect immediately upon its approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
06/14/91	06/14/91	HUDZ	12/06/91	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
12/13/91			12/17/91	12/20/91
ORDINANCE	VETOED		VETO OVR	
62477				